

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

This answer is in response to the non-final Office Action dated 06/13/2007. Claims 1-12 were rejected in this Office Action as being unpatentable over Yamashita et al. (US 5,389,769) in view of Johnson (US 7,038,470). Claims 1-12 are currently submitted for examination, of which claims 2 and 6-10 are independent.

Applicant respectfully traverses the rejections under 35 U.S.C. § 103(a) for the following reasons:

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1-12 were rejected under 35 U.S.C. 103(a) as obvious over Yamashita et al. (US 5,389,769, previously cited, hereinafter “Yamashita”) in view of Johnson (US 7,038,470, hereinafter “Johnson”).

Claims 1-12 in their current form are patently distinguishable over *Yamashita* in view of *Johnson*. As articulated in *KSR International. Co. v. Teleflex, Inc., et al.*, 550 U.S. (2007), the Office is compelled to provide “some articulated reasoning with some rationale underpinning to support the legal conclusion of obviousness.” (KSR Opinion at p. 14). It is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does,” (KSR Opinion at p. 15). Further, the Office must make “explicit” this rationale of “the apparent reason to combine the known elements in the fashion claimed,” including a detailed explanation of “the effects of demands known to the design community or present in the marketplace” and “the background

knowledge possessed by a person having ordinary skill in the art.” (KSR Opinion at p. 14). Anything less than such an explicit analysis may not be sufficient to support a prima facie case of obviousness.

In reference to claims 1 and 5-12, the Office states that “Yamashita discloses a method of attaching an identification tag 30A and 30B to the part 10 of a semiconductor processing tool 1,” and further indicates that the same reference “fails to specifically teach or fairly suggest that the identification tag creates a measurable decrease in field strength as recited amended claims 1, and 5-10.” The Office later contends that *Johnson* “teaches a sensor and a monitoring system comprising RFID tag and the reader.” However, the Office fails to “identify a reason that would have prompted a person of ordinary skill in the relevant field to combine” the cited art in a way to attach the identification tag to the part or sub assembly of the semiconductor processing tool, applying a radio frequency signal to the identification tag which creates a measurable decrease in field strength in at least a portion of the radio frequency signal, determining the presence or absence of the decreased field strength, and determining the presence or absence of the part of assembly based on the presence or absence of the decreased field strength. Further, the Office failed to make “explicit” this rationale of “the apparent reason to combine the known elements in the fashion claimed.”

The Office similarly failed to provide an apparent reason to combine the known elements in the fashion claimed in claim 2. Given the above remarks, claims 1,2 and 5-12 are in condition for allowance. The dependent claims 3 and 4 are similarly in condition for allowance as they incorporate limitations from independent claim 2. In light of the comments above, the Applicant respectfully requests the allowance of the previously presented claims.

If the undersigned attorney has overlooked a teaching in any of the cited art that is relevant to the allowability of the claims, the Office is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at 480-539-2104 or by email at [scott.lane@us.tel.com](mailto:scott.lane@us.tel.com).

*Charge Deposit Account*

Please charge our Deposit Account No. 50-3451 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

Date: 09/10/07

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